GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Forest Department - Disciplinary proceedings initiated against **Sri S.Vali Basha**, Forest Range Officer (Retd.) earlier worked at Bandi Atmakur Range of Nandyal under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Inquiry conducted – Imposition of penalty of "Withholding of entire pension besides recovery of Rs.3,44,615/- towards the loss sustained to the Government as per clause 4(d) of Article 300 of the A.P.Financial Code against the Charged Officer Sri S.Vali Basha, Forest Range Officer (Retd.) - Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.Ms.No.24 **Dated 22.05.2024.**
Read the following:-

1. From the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur, letter Rc.No.37334/2003/A&DC-1, dated 13.07.2017.
2. From the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur, letter Rc.No.37334/2003/A&DC-1, dated 14.03.2018.
3. From the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur, letter No.37734/2004/A&DC-3(i), dated 30.03.2022.
4. Govt. Memo. No.3090/Sec.IV/2017, E.F.S. & T. (Sec.IV) Department, dated 04.08.2023.
5. From Sri S.Vali Basha, Forest Range Officer (Retd.), explanation dated 08.11.2023 & 06.01.2024.
6. From the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri, letter Ref.No.37734/2004/A&DC-3, dated 31.01.2024.
7. Govt. Letter No.3090/Sec.IV/A2/2017, E.F.S. & T. (Sec.IV) Department, dated 05.03.2024.
8. From the Secretary, A.P.Public Service Commission, Vijayawada, File No.GAD03-APPS0dcc/13/2024-DC.SEC-APPSC (Computer No.2396961), dated 09.05.2024.

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ORDER:

In the letter 3rd read above, the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur has stated that earlier, in his office Proc. Rc.No.37734/ 2004/PXR-1, dated 24.04.2005, disciplinary proceedings has been initiated by issuing Articles of Charges against Sri S. Vali Basha, Forest Range Officer, Bandi Atmakur Range of Nandyal (WL) Division under Rule 20 of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991 on the following counts:-

ARTICLE-I:	"That the said Sri S.Vali Basha, Forest Range Officer (under suspension), while functioning as Forest Range Officer, Bandi Atmakur Range, Nandyal (WL) Division during the period from April 2001 to February 2005 has misappropriated Government funds to a tune of Rs.5,89,897/- in execution of works in connivance with Sri W. Radha Krishna, Forest Section Officer (under suspension) VSS Chairpersons and VSS vice-chairpersons during the year 2003-04 in Bandi Atmakur Range of Nandyal (WL) Division".
ARTICLE-II:	"That the said Sri S.Vali Basha, Forest Range Officer (under suspension), while functioning as Forest Range Officer, Bandi Atmakur Range, Nandyal (WL) Division has collected Rs.3/- per bamboo as against Rs.2/- per bamboo to be collected officially in Singavaram and Ernapadu VSS fixed by the Department resulting in collections of an amount of Rs.1.0 Lakh (One Lakh) extra illegally (along with F.S.O.) for personal use".

P.T.O.

ARTICLE-III:	"That the said Sri S.Vali Basha, Forest Range Officer (under suspension), while functioning as Forest Range Officer, Bandi Atmakur Range, Nandyal (WL) Division neglected his duties resulting in misleading and misguiding the inspecting officers during the course of inspections and not co-operated with the Inspecting Officers to take up field inspections".
ARTICLE-IV:	"That the said Sri S.Vali Basha, Forest Range Officer (under suspension), while functioning as Forest Range Officer, Bandi Atmakur Range, Nandyal (WL) Division, grossly neglected his duties failing to produce important records like, treatment maps of V.S.S. resolutions of V.S.S. for distribution of un-saleable material obtained from Singling and Coppicing and other records of V.S.S. as required under the Forest code and thus violating the codal provisions".
ARTICLE-V:	"That the said Sri S.Vali Basha, Forest Range Officer (under suspension), while functioning as Forest Range Officer, Bandi Atmakur Range, Nandyal (WL) Division, grossly neglected his duties resulting in failure to follow the provisions contained in Forest Code in inspection and check measurement of the works, false recording and check measurement and booking of expenditure without execution of works".
ARTICLE-VI:	"That the said Sri. S.Vali Basha, Forest Range Officer (under suspension), while functioning as Forest Range Officer, Bandi Atmakur Range, Nandyal (WL) Division, grossly neglected his duties failing to bring the VSS members to accompany the field inspection of the Divisional Forest Officer, Vigilance-II on 16.10.2004".
ARTICLE-VII:	"That the said Sri. S.Vali Basha, Forest Range Officer (under suspension), while functioning as Forest Range Officer, Bandi Atmakur Range, Nandyal (WL) Division, absconded from duty from 03-02-2005".

2. After following the due procedure in terms of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991, the disciplinary case was finalized by the Principal Chief Conservator of Forests & Head of Forest Force, A.P., by awarding a punishment of "Reduction to basic minimum for a period of one year and the punishment will have effect to postponing the increments besides recovery of Rs.1,96,613/-" in Proc.No.37734/2004/K1-K3(i), dt:28.05.2010.

3. The individual has preferred an appeal petition before the Government and the same was rejected by the Government in Memo. No.7431/For.IV/2010, E.F.S. & T. Dept., dated 05.07.2016.

4. Aggrieved by the same, the Charged Officer approached the Hon'ble APAT., Hyderabad by filing of O.A.No.579/2017 and the Hon'ble A.P.A.T., Hyderabad has disposed the said O.A. in its orders dated 13.01.2018.

5. As per Hon'ble APAT orders dated 13.01.2018 in O.A.No.579/2017, the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur appointed the Conservator of Forests, Kurnool and Divisional Forest Officer, Nandyal as Common Inquiry Officer and Presenting Officer respectively, to conduct inquiry, vide Proc.No.37734/2004/Vig-1(i) & (ii), dated 30.06.2018 under Rule 24 of the A.P.Civil Services (Classification, Control & Appeal) Rules 1991. The Inquiry Officer has submitted his Common Inquiry findings on 07.01.2022, wherein he concluded as follows:-

Article-I Article-II	Proved
Article-III Article-IV Article-V Article-VI Article-VII	Proved beyond any reasonable doubt

(Contd.P-3)

6. The findings of the Inquiry Officer was communicated to the Charged Officer for submitting his further defense statement, vide Ref.No.37734/2004/A&DC-3(ii) dated 28.01.2022 of Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur. The Charged Officer acknowledged the receipt of the Final Notice on 02.02.2022 and submitted his further defense statement dated 12.02.2022 stating that he has already submitted his detailed explanation dated 05.05.2005 to the Principal Chief Conservator of Forests & Head of Forest Force, A.P., but the same was not considered by the authority and issued vague findings. He has, therefore, requested to drop the charges framed against him and refund the recovered amount. The defense statement submitted by the Charged Officer was examined and observed that he did not furnish any valid grounds to consider his defense statement.

7. Since the Charged Officer has retired from Government Service on attaining the age of superannuation on 31.05.2011, Government, being the competent authority, have continued the disciplinary case, under Rule-9 of A.P. Revised Pension Rules, 1980.

8. As per check slip information, the total financial loss involved in this case is Rs.5,89,897/- + Rs.99,333/- = Rs.6,89,230/- which is equally apportioned among two Charged Officers as shown below:-

1. Sri S. Vali Basha, FRO(Retd.):Rs.3,44,615/-.
2. Sri W. Radha Krishna, Dy.RO(Retd.): Rs.3,44,615/-.

9. The findings of the Inquiry Officer has been examined and in the reference 4th read above, a show cause notice has been issued to the Charged Officer Sri S.Vali Basha, Forest Range Officer (Retd.) duly indicating the quantum of punishment to be imposed against him i.e., "Withholding of entire pension besides recovery of Rs.3,44,615/- towards the loss sustained to the Government as per clause 4(d) of Article 300 of the A.P. Financial Code, since the charges of misappropriation of funds against him were held proved.

10. In the reference 5th & 6th read above, the charged officer acknowledged the receipt of show cause notice on 27.10.2023. The Charged Officer Sri S.Vali Basha, Forest Range Officer (Retd.) in his explanation has requested among others things, to consider his explanation and drop further action against him.

11. The explanation of the Charged Officer has been examined in detail and observed that the individual has not put-forth any valid points to consider his explanation. Accordingly, it has been provisionally decided to impose a punishment of withholding of entire pension besides recovery of Rs.3,44,615/- towards the loss sustained to the Government as per clause 4(d) of Article 300 of the A.P. Financial Code against the Charged Officer Sri S.Vali Basha, Forest Range Officer (Retd.), since the charges of misappropriation of funds against him were held proved.

12. In the reference 7th read above, the Secretary, A.P.Public Service Commission, Vijayawada has been requested to obtain and communicate the concurrence of the Commission on the Government proposal i.e., "Withholding of entire pension besides recovery of Rs.3,44,615/- towards the loss sustained to the Government as per clause 4(d) of Article 300 of the A.P. Financial Code against the Charged Officer Sri S.Vali Basha, Forest Range Officer (Retd.), since the charges of misappropriation of funds against him were held proved.

13. In the reference 8th read above, the Secretary, A.P. Public Service Commission, Vijayawada has informed that the Commission agreed with the proposal of the Government to impose the penalty of "Withholding of entire pension besides recovery of Rs.3,44,615/- towards the loss sustained to the Government as per clause 4(d) of Article 300 of the A.P.Financial Code against the Charged Officer Sri S.Vali Basha, Forest Range Officer (Retd.).

14. After careful examination of the entire matter, it has been decided to impose a penalty of "Withholding of entire pension besides recovery of Rs.3,44,615/- towards the loss sustained to the Government as per clause 4(d) of Article 300 of the A.P.Financial Code against the Charged Officer Sri S.Vali Basha, Forest Range Officer (Retd.), earlier worked at Bandi Atmakur Range of Nandyal, since the charges of misappropriation of funds against him were held proved, under Rule 9 of A.P.Revised Pension Rules, 1980.

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15. Accordingly, Government hereby order to impose a penalty of "Withholding of entire pension besides recovery of Rs.3,44,615/- towards the loss sustained to the Government as per clause 4(d) of Article 300 of the A.P.Financial Code against the Charged Officer Sri S.Vali Basha, Forest Range Officer (Retd.), earlier worked at Bandi Atmakur Range of Nandyal, since the charges of misappropriation of funds against him were held proved, under Rule 9 of A.P.Revised Pension Rules, 1980.

16. The Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri, shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri S.Vali Basha, Forest Range Officer (Retd.), earlier worked at Bandi Atmakur Range of Nandyal through the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri.
The Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri.

Copy to:
The Accountant General (A&E), Andhra Pradesh, Vijayawada.
The Secretary to A.P. Vigilance Commission
SF/SCs (Computer No.267939).

//FORWARDED :: BY ORDER //

SECTION OFFICER